

## Cases - October 2018

**Baptist Memorial Hospital**  
**CN1701-005D**  
**CN 1705-018D**

**&**

**Saint Francis Hospital-Bartlett, Inc.**  
**CN1701-004D**

**Consolidated Docket No.: 25.00-144364J**

Baptist Memorial Hospital [BMH] and Saint Francis Hospital-Bartlett [SFH-B] have appealed the *Denial* of their applications for the establishment of a freestanding emergency department in Arlington (Shelby County). Their petitions to intervene in each other's appeals have been granted, as well as Methodist Healthcare's petitions to intervene in (in opposition to) all three.

BMH has voluntarily dismissed the appeal of its first application, CN1701-005D; SFH-B has voluntarily dismissed the appeal of its application, CN1701-004D. The remaining application, BMH CN 1705-018D, will be considered in the contested case.

The contested case was held in August 2018. The parties are preparing proposed findings of fact and conclusions of law for the ALJ's consideration.

Brian Jackson and Travis B. Swearingen of Butler Snow represent Baptist Memorial Hospital.

Kim Harvey Looney and J.D. Thomas of Waller Lansden Dortch & Davis represent Saint Francis Hospital-Bartlett.

Methodist Healthcare is represented by Byron Trauger, Kate Stephenson and Paul W. Ambrosius of Trauger & Tuke; and Tom Wiseman of Wiseman Ashworth Law Group.

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**Premier Radiology**  
**CON #1803-014A**

**Docket No.: 25.00-154055J**

Sumner Regional Medical Center has appealed the *Approval* of the establishment of an outpatient diagnostic center and the initiation of magnetic resonance imaging services at 110 St. Blaise Road, Gallatin (Sumner County).

The contested case is scheduled to be held on September 16-20, 2019.

Sumner Regional Medical Center is represented by Byron R. Trauger, Kathryn A. Stephenson and Paul W. Ambrosius of Trauger & Tuke

Premier Radiology is represented by Warren L. Gooch of Kramer Rayson LLP

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**Tri-Cities Holdings, LLC d/b/a Trex Treatment Center**

**CON #1303-005D**

**Docket No.: 25.00-122076J**

Suit against the Agency alleging ADA violation for denial of CON for methadone clinic

The U.S. District Court in Greenville, Tennessee, has denied Tri-Cities Holdings, LLC d/b/a Trex Treatment Center's motion for summary judgment and has granted the Health Services and Development Agency's motion for summary judgment. Tri-Cities Holdings, LLC d/b/a Trex Treatment Center appealed these rulings to the Sixth Circuit Court of Appeals, which has upheld the ruling(s) in favor of the State of Tennessee. The Petitioners applied for review by the U.S. Supreme Court, which has declined to review the rulings. The case is, therefore, over.